

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**

REPAIRIFY, INC.,)
)
)
Plaintiff,) Case No. 6:21-cv-00819-ADA-DTG
)
)
v.)
)
) **JURY TRIAL DEMANDED**
KEYSTONE AUTOMOTIVE)
INDUSTRIES, INC. d/b/a ELITEK)
VEHICLE SERVICES, and DOES 1 through)
20, inclusive,)
)
Defendants.)

**STIPULATION OF REINSTATEMENT OF INEQUITABLE CONDUCT
DEFENSES AND COUNTERCLAIM FOR THE '334 PATENT**

Defendant Keystone Automotive Industries, Inc. d/b/a Elitek Vehicle Services. ("Elitek") previously dismissed without prejudice its defense and counterclaim of unenforceability for the '334 Patent because the Court had dismissed the '334 Patent. The Court subsequently added the '334 Patent back into the case after Repairify filed a motion for relief from the prior order. Therefore, the parties agree that Elitek should be allowed to reciprocally add its defense and counterclaim of unenforceability for the '334 Patent back into the case. *See* ECF No. 57, at 42-53, 62 (Elitek's Eleventh Defense and Counterclaim Count IX).

SIGNED this the ____ day of March, 2025.

ALAN D ALBRIGHT
UNITED STATES DISTRICT JUDGE

Dated: March 19, 2025

FOR PLAINTIFF:

/s/ William F. Bullard (with permission)

Deron Dacus (State Bar No. 0090553)

THE DACUS FIRM, P.C.

821 ESE Loop 323, Suite 430

Tyler, TX 75701

Phone: (903) 705-1117

Fax: (903) 581-2543

ddacus@dacusfirm.com

J. Derek Vandenburgh (pro hac vice)

Joseph W. Winkels (pro hac vice)

William F. Bullard (pro hac vice)

CARLSON, CASPERS, VANDENBURGH & LINDQUIST, P.A.

225 South Sixth Street, Suite 4200

Minneapolis, MN 55402

Phone: (612) 436-9600

dvandenburgh@carlsoncaspers.com

jwinkels@carlsoncaspers.com

wbullard@carlsoncaspers.com

Counsel for Plaintiff, Repairify, Inc.

Respectfully submitted,

FOR DEFENDANTS:

/s/ Barry F. Irwin

Barry F. Irwin, P.C. (admitted *pro hac vice*)

Joseph A. Saltiel (admitted *pro hac vice*)

Jason J. Keener (admitted *pro hac vice*)

Iftekhar A. Zaim (admitted *pro hac vice*)

Alexander S. Bennett (admitted *pro hac vice*)

Emad S. Mahou (admitted *pro hac vice*)

Bailey Sanders (admitted *pro hac vice*)

IRWIN IP LLP

150 N Wacker Dr., Ste. 700

Chicago, IL 60606

(312) 667-6080 (Telephone)

birwin@irwinip.com

jsaltiel@irwinip.com

jkeener@irwinip.com

izaim@irwinip.com

abennett@irwinip.com

emahou@irwinip.com

bsanders@irwinip.com

Barry K. Shelton

Texas State Bar No. 24055029

SHELTON COBURN LLP

311 RR 620 S, Suite 205

Austin, TX 78734

bshelton@sheltoncoburn.com

(512) 263-2165 (Telephone)

Mark D. Siegmund

Texas State Bar No. 24117055

CHERRY JOHNSON

SIEGMUND JAMES PLLC

400 Austin Avenue, 9th Floor

Waco, TX 76701

msiegmund@cjsjlaw.com

(254) 732-2242 (Telephone)

Attorneys for Defendant Keystone Automotive Industries, Inc. d/b/a Elitek Vehicle Services

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the above and foregoing document has been served on all counsel of record via the Court's ECF system.

/s/ Barry F. Irwin

Barry F. Irwin